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*Counsel for Highland Capital Management, L.P.*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

## HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff.

Adv. Proc. No. 21-03003-sgi

vs.

Case No. 3:21-cv-00881-X

JAMES DONDERO, NANCY DONDERO, AND THE  
DUGABOY INVESTMENT TRUST,

## Defendants.

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HIGHLAND CAPITAL MANAGEMENT, L.P., §  
Plaintiff, §  
vs. §  
NEXPOINT ADVISORS, L.P., JAMES §  
DONDERO, NANCY DONDERO, AND §  
THE DUGABOY INVESTMENT TRUST, §  
Case No. 3:21-cv-00881-X  
Defendants. §

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HIGHLAND CAPITAL MANAGEMENT, L.P., §  
Plaintiff, §  
vs. §  
HIGHLAND CAPITAL MANAGEMENT §  
SERVICES, INC., JAMES DONDERO, §  
NANCY DONDERO, AND THE DUGABOY §  
INVESTMENT TRUST, §  
Case No. 3:21-cv-00881-X  
Defendants. §

---

HIGHLAND CAPITAL MANAGEMENT, L.P., §  
Plaintiff, §  
vs. §  
HCRE PARTNERS, LLC (n/k/a NexPoint §  
Real Estate Partners, LLC), JAMES §  
DONDERO, NANCY DONDERO, AND §  
THE DUGABOY INVESTMENT TRUST, §  
Case No. 3:21-cv-00881-X  
Defendants. §

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**APPENDIX IN SUPPORT OF OPPOSITION TO DEFENDANTS' MOTION TO STRIKE  
APPENDIX IN SUPPORT OF PLAINTIFF'S REPLY MEMORANDUM  
OF LAW IN FURTHER SUPPORT OF ITS MOTION FOR PARTIAL  
SUMMARY JUDGMENT AGAINST THE ALLEGED AGREEMENT DEFENDANTS**

<u>Ex.</u>	<u>Description</u>	<u>Appx.#</u>
1.	Declaration of Hayley R. Winograd in Support of Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants	1-7

Dated: March 18, 2022

**PACHULSKI STANG ZIEHL & JONES LLP**

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*Counsel for Highland Capital Management, L.P.*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

## HIGHLAND CAPITAL MANAGEMENT, L.P.,

JAMES DONDERO, NANCY DONDERO, AND THE  
DUGABOY INVESTMENT TRUST,

## Defendants.

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HIGHLAND CAPITAL MANAGEMENT, L.P., §  
Plaintiff, §  
vs. §  
NEXPOINT ADVISORS, L.P., JAMES §  
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THE DUGABOY INVESTMENT TRUST, §  
Defendants. §  
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HIGHLAND CAPITAL MANAGEMENT, L.P., §  
Plaintiff, §  
vs. §  
HIGHLAND CAPITAL MANAGEMENT §  
SERVICES, INC., JAMES DONDERO, §  
NANCY DONDERO, AND THE DUGABOY §  
INVESTMENT TRUST, §  
Defendants. §  
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HIGHLAND CAPITAL MANAGEMENT, L.P., §  
Plaintiff, §  
vs. §  
HCRE PARTNERS, LLC (n/k/a NexPoint §  
Real Estate Partners, LLC), JAMES §  
DONDERO, NANCY DONDERO, AND §  
THE DUGABOY INVESTMENT TRUST, §  
Defendants. §  
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**DECLARATION OF HAYLEY R. WINOGRAD IN SUPPORT OF OPPOSITION TO  
DEFENDANT'S MOTION TO STRIKE APPENDIX IN SUPPORT OF REPLY  
MEMORANDUM OF LAW IN FURTHER SUPPORT OF MOTION FOR PARTIAL  
SUMMARY JUDGMENT AGAINST THE ALLEGED AGREEMENT DEFENDANTS**

I, Hayley R. Winograd, pursuant to 28 U.S.C. § 1746, under penalty of perjury, declare as follows:

1. I am an attorney in the law firm of Pachulski, Stang, Ziehl & Jones LLP, counsel to Highland Capital Management, L.P., the reorganized debtor in the above-captioned chapter 11 case and plaintiff in the above-referenced adversary proceedings, and I submit this Declaration in support of *Opposition to Defendant's Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants* (the "Opposition"). I submit this Declaration based on my personal knowledge and review of the documents listed below.

2. Plaintiff produced to HCMS the HCMS Amortization Schedule on June 9, 2021. Attached as Exhibit A is a true and correct copy of the email transmitting the document production.

Dated: March 18, 2022

/s/ Hayley R. Winograd  
Hayley R. Winograd

## **EXHIBIT A**

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**From:** "Hayley R. Winograd" <[hwinograd@pszjlaw.com](mailto:hwinograd@pszjlaw.com)>  
**Date:** Wed Jun 09 22:25:46 EDT 2021  
**To:** "Lauren Drawhorn" <[lauren.drawhorn@wickphillips.com](mailto:lauren.drawhorn@wickphillips.com)>, "Jason Rudd" <[jason.rudd@wickphillips.com](mailto:jason.rudd@wickphillips.com)>  
**Cc:** "John A. Morris" <[jmorris@pszjlaw.com](mailto:jmorris@pszjlaw.com)>  
**Subject:** FW: HCMLP Document Production to HCMS Adv. Proc. 21-3006

Lauren and Jason,

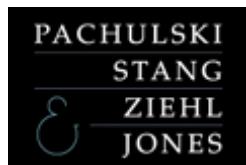
Below please find the link and password to the Debtor's production in response to Highland Capital Management Services, Inc.'s First Set of Discovery Requests.

We will send a supplemental production in a separate email.

Thanks,

Hayley

**Hayley R. Winograd**  
Pachulski Stang Ziehl & Jones LLP  
Tel: 212.561.7700 | Fax: 212.561.7777  
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Los Angeles | San Francisco | Wilmington, DE | New York | Houston

Password: LKJ\*57=

HCMS000001 - HCMS000519



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